



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,676	02/04/2002	Morteza Hagh-Panah	PA1949US	8787
35617	7590	08/09/2005	EXAMINER	
DAFFER MCDANEIL LLP P.O. BOX 684908 AUSTIN, TX 78768			TORRES, JOSEPH D	
			ART UNIT	PAPER NUMBER
			2133	
DATE MAILED: 08/09/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

10/068,676

Applicant(s)

HAGH-PANAH ET AL.

Examiner

Joseph D. Torres

Art Unit

2133

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 July 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s) (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

JOSEPH TORRES
PRIMARY EXAMINER

Joseph D. Torres, PhD
Primary Examiner
Art Unit: 2133

Continuation of 11. does NOT place the application in condition for allowance because: The Applicant contends, "Kimmitt fails to anticipate a method for performing a cyclic redundancy check (CRC) calculation on a data stream, where the method includes: (i) determining which one of a plurality of CRC modules -- each configured to perform the CRC calculation on a different number of bytes of data -- should be used for processing a segment of data currently supplied to the multiple byte circuit, and (ii) after said step of determining, processing the segment of data using only the CRC module determined appropriate for the current segment of data. The Examiner disagrees and asserts that Kimmitt teaches CRC Controller State Machine 106 in Figure 7 of Kimmitt for determining which one of a plurality of CRC modules 100a to 100d -- each configured to perform the CRC calculation on a different number of bytes of data should be used for processing a segment of data currently supplied to the multiple byte circuit 100 (col. 15, lines 33-35 in Kimmitt teach that the CRC controller state machine 106 selects which remainder register of remainder registers 102 holds the last value to be processed through the multiplexer 108). In addition, col. 14, lines 62-65 in Kimmitt teach that selection of the correct CRC from the array of CRC remainder registers (102a-102d in FIG. 7) is done with a multiplexer (108 in FIG. 7) in hardware; hence Kimmitt explicitly teaches CRC Controller State Machine 106 and Multiplexer 108 in Figure 7 of Kimmitt for determining which one of a plurality of CRC modules -- each configured to perform the CRC calculation on a different number of bytes of data -- should be used for processing a segment of data currently supplied to the multiple byte circuit, and after said step of determining, processing the segment of data using only the CRC module determined appropriate for the current segment of data (Note: Multiplexer 108 in Figure 7 of Kimmitt processes the segment of data using only the selected CRC module determined appropriate by the CRC Controller State Machine 106 for the current segment of data).

The Applicant contends, "Yoshioka also fails to teach, suggest or provide motivation for the aforementioned method steps recited in claim 1".

The Examiner asserts Yoshioka was not used in the 102(e) rejection of claim 1 and as pointed out above, Kimmitt teaches every single limitation in claim 1..